

## **REMARKS**

This application has been reviewed in light of the Office Action mailed April 7, 2005.

Reconsideration of this application in view of the below remarks is respectfully requested.

Claims 1-20 are pending in the application with Claims 1, 10 and 19 being in independent form.

### **I. Rejection of Claims 1-2, 8-11 and 17-20 Under 35 U.S.C. §103(a)**

Claims 1-2, 8-11 and 17-20 were rejected under 35 U.S.C. §103(a) over U.S. Patent No. 6,584,097 issued to Malik in view of U.S. Patent No. 6,459,783 issued to March et al.

Malik discloses a dial-up reservation service to the user via a TCP-IP interconnection. However, Malik fails to disclose or suggest the contact unit automatically rerouting the user to an ISP LAN using an edge router, if it is judged that the Internet access request is not permitted, such that a reservation request can be made by the user, as recited in Applicant's Claim 1.

March et al. teaches Internet Service Provider call redirection. Specifically, March et al. teaches redirecting an incoming telephone call from a telephone line corresponding to a dialed phone number to a secondary telephone line, akin to a standard company telephone switchboard. Telephone switchboards have been used to route phone calls received on a main number to free telephone lines within a company, e.g. tech support lines. In the case of March et al., instead of the incoming call being routed to an internal telephone, it is routed to one of many Internet Gateways installed at the terminus of each telephone line. The routing is performed by a telephone call routing system and not by a network server, i.e. contact unit, as recited in Claim 1. Therefore, the Examiner is incorrect in assuming that an edge router is inherent to the March et al. reference as the routing occurs external of the computer network and not between computer networks.

Malik and March et al. taken alone or in any proper combination do not disclose or suggest the claimed matter as recited by Independent Claims 1, 10 and 19. Therefore, for at least the reasons presented above, Claims 1, 10 and 19 are believed patentably distinct over the cited prior art references.

Claims 2, 8-9, 11 17-18 and 20 are dependent from Independent Claims 1, 10 and 19 respectively and therefore are limited by the language recited by these independent claims. Accordingly, Applicant respectfully requests withdrawal of the rejection to Claims 1-2, 8-11 and 17-20 under 35 U.S.C. §103(a) over Malik in view of March et al., and allowance thereof.

**I. Rejection of Claims 3-7 and 12-16 Under 35 U.S.C. §103(a)**

Claims 3-7 and 12-16 were rejected under 35 U.S.C. §103(a) over Malik in view of March et al. and in further view of U.S. Patent No. 6,690,929 issued to Yeh.

Claims 3-7 and 12-16 are dependent from Independent Claims 1 and 10, respectively, and therefore are limited by the language recited by these independent claims.

Regarding the above-cited Yeh prior art reference, Yeh teaches a method of providing a dynamic quality-of-service based on a negotiated fee. However Yeh fails to overcome the deficiencies cited above with respect to Malik and March et al. Specifically, Yeh fails to disclose or suggest a contract unit, which automatically reroutes the user to an ISP LAN using an edge router, if it is judged that the Internet access request is not permitted, such that a reservation request can be made by the user, as recited in Applicant's Claim 1. Therefore Yeh, taken alone or in any proper combination with Malik and March et al., do not disclose or suggest the claimed matter as recited by Independent Claims 1, 10 and 19. Therefore, for at least the reasons cited above for Claims 1, 10 and 19, Claims 3-7 and 12-16 are believed patentably distinct over the

cited prior art references. Accordingly, Applicant respectfully requests withdrawal of the rejection to Claims 3-7 and 12-16 under 35 U.S.C. §103(a) over Malik in view of March et al. and further in view of Yeh, and allowance thereof.

### CONCLUSIONS

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-20, are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Applicant's undersigned attorney at the number indicated below.

Respectfully submitted,



Paul J. Esatto, Jr.

Registration No. 30,749

SCULLY, SCOTT, MURPHY & PRESSER  
400 Garden City Plaza - Ste. 300  
Garden City, New York 11530  
(516) 742-4343

PJE:DAT:jam